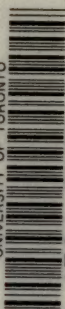


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Boundaries of Canada

OTTO KLOTZ, D.Sc., F.R.A.S.

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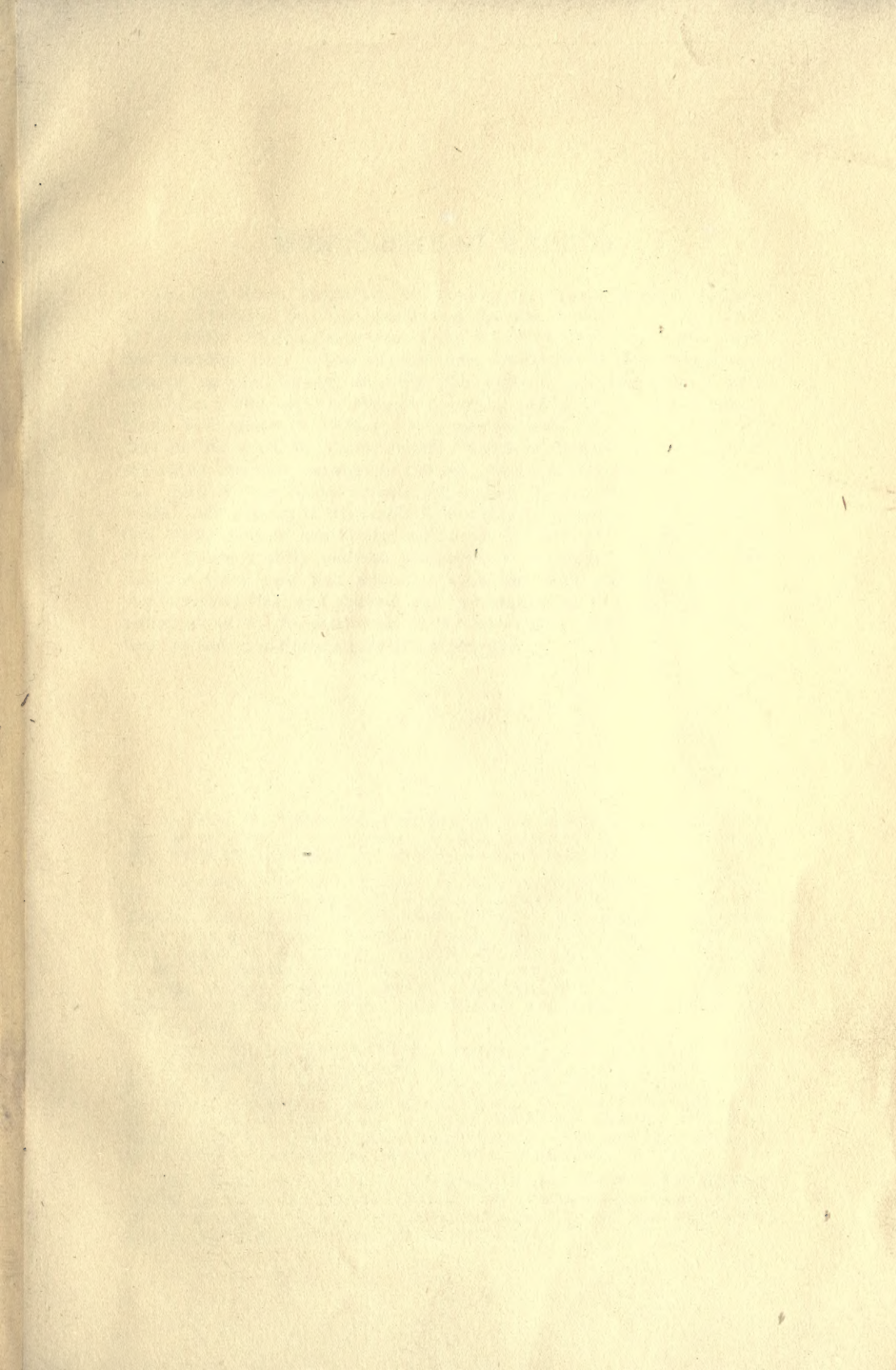
Boundaries of Canada

By
OTTO KLOTZ, D.Sc., F.R.A.S.



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Boundaries of Canada

Dr. Otto Klotz, Dominion Astronomer, of Ottawa, gave an address at the Collegiate Institute, Berlin, on the above subject, on April 17, 1914, under the joint auspices of the Waterloo Historical Society and the Canadian Club. The address was illustrated by numerous maps thrown on the screen, showing the various boundaries and their evolution. The speaker cleared up many points to the large assemblage, and removed erroneous impressions, such as: that the greater part of the State of Maine should belong to Canada by running or extending the 45th parallel to the sea; that the "Northwest angle" of the Lake of the Woods should have read in the treaty "Southwest angle," and prevented Minnesota from projecting her nose into Canada; that Great Britain has always sacrificed the interests of Canada; and that Canada rightly claimed sea-ports in southeastern Alaska. He told the story how and why the 45th and 49th parallels figure in our boundary line, and showed why in running the 49th parallel it was pulled about by the attraction of the mountains, making it a crooked line instead of a smooth parallel of latitude.



In order to trace the evolution of the boundary, composed of various sections, it is necessary to give an historical sketch of each part, brief as it must be, due to the limited time at my disposal.

Beginning with the discovery of Newfoundland by Cabot in 1497, who subsequently followed the coast southward to latitude 34 degrees, England claimed the Atlantic coast down to that parallel, as shown more than a century afterwards, when James I. granted in 1606 the first charter to the London Company for the territory lying between 34 and 38 degrees, and to the Plymouth Company between 41 and 45 degrees, leaving a neutral zone between them of 3 degrees. Here we have the first mention of the 45th parallel, and it has persisted to the present day.

Cartier entered the Gulf of St. Lawrence in 1534, and ascended the St. Lawrence the following year, that is, in 1535, thereby securing for France that vast waterway and the country tributary thereto. The two great rival nations, England and France, have each now a foothold on the northern half of the American continent, and for 150 years rivalry, war and bloodshed continued ere the complete supremacy of the former was established on the Plains of Abraham in 1759.

The charter given by Queen Elizabeth in 1583 to Sir Walter Raleigh makes no mention of boundaries for his colonization scheme, which proved a complete failure, although the name Virginia, in honor of the Queen, has come down to us from that time.

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The real beginning of trouble between England and France soon followed the granting of a charter by Henry IV., King of France, to De Monts for the seacoast and territory lying between 40 and 46 degrees. De Monts erected rude forts at the mouth of the St. Croix and at Port Royal on the Bay of Fundy, now known as Annapolis Royal. It will be observed that this latter charter was overlapped by the charter to the Plymouth Company given three years later, and already referred to. Following chronologically, we may mention the advent in 1609 of Henry Hudson—an Englishman—in the river bearing his name, whereby the Dutch, in whose service Hudson was, established themselves later in New Netherlands and founded New Amsterdam, now New York. The first encounter between the English and French took place in 1614 when Argal drove the French from Port Royal. No place in America suffered more from the vicissitudes of war than did Port Royal, for many times it was taken only to be ceded again by treaty until in 1710 it, with Acadia, permanently fell to England. The French had called their possessions New France, and the Dutch theirs New Netherlands, while New England first appears in the charter, another charter, given by James I. in 1620 to the Plymouth Company, wherein their limits are extended from 40 degrees to 48 degrees. The following year James I. gave to his friend Sir William Alexander (afterwards Lord Stirling) a charter covering "Nova Scotia" or New Scotland, as the territory was called. This charter formed an important part in future boundary discussions. By it the boundary ascended the St. Croix river to its remotest spring to the west, and thence to the nearest bay, river or stream emptying into Canada's great river (the St. Lawrence) and thence along it to the sea. There were two inconsistencies in this boundary; in the first place it encroached on the territory of the New Plymouth Company, and in the second place it included the south shore of the St. Lawrence which undoubtedly was rightly claimed by the French. However, the Plymouth Company relinquished its claim on the area common with the grant to Alexander. In 1628 Sir William sent out Sir David Kirk and he took Port Royal again. In the same year the council of the Plymouth Company made a grant to the Governor and Company of Massachusetts Bay. We find the English colonies on the Atlantic coast growing more rapidly than the French to the north of them, and hostilities are chronic if not continuous. Beside the occupation by the English on the Atlantic coast, the Dutch occupied, as already noted, New Netherlands, and similarly a New Sweden was founded in 1638 on the Delaware, which, however, was later absorbed in the grant to William Penn in 1681.

These more southerly English possessions have little relation, save indirectly, with the boundary between the English and French possessions, or as we recognize it now the boundary of Canada, and more particularly the boundary of the original Nova Scotia, for New Brunswick did not become a separate province till 1784. It was the growth of New England and its steady pressure northward that crowded the French possessions which eventually became English. Then the boundary line became one between two English possessions, of which we shall presently speak. By the Treaty of Utrecht in 1713 Great Britain was confirmed in the possession of Hudson's Bay, Newfoundland and Acadia. To France remained Cape Breton, with the strongly fortified Louisburg, and the St. Lawrence, together with the country claimed by exploration, extending through the Great Lakes and down the Mississippi. At the moment we are only concerned with the New England boundary, and the French possessions in the West do not enter here into the discussion. Louisburg fell in 1745 before Warren and Pepperell, to be restored to France by the Treaty of Aix-la-Chapelle in 1748, only to be retaken, and for good, ten years

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later, by Wolfe. This was followed up the next year, 1759, by the historic battle on the Plains of Abraham when Canada became a British possession. We must here impress upon your attention the position of affairs after the Treaty of Paris in 1763, which closed the war with France. The whole of the American continent northward from Florida, which belonged to Spain, and east of the Alleghany mountains belonged to Great Britain. All boundary questions were questions between provinces, all under one crown. The boundary line or limit of 45 degrees mentioned in the new Plymouth charter of 1606, now began to loom large on the horizon; it had significance which can scarcely be said for it at that early date,—two years before the founding of Quebec. New England at the time of the Treaty of Paris included the organized provinces of Massachusetts, New Hampshire, Rhode Island and Connecticut. The province of New York was also organized. But a few years after the treaty we find the governor of Canada corresponding with the governor of the province of New York with reference to the survey of their common boundary line, the 45th parallel, and this line was run by Collins & Valentine in 1771-1773, a boundary line between two British provinces, let it be remembered, and the boundary line then run is our boundary line today. So we see that the northern limit of the Plymouth Company as given in the charter by James I. in 1606, although precise in words, yet intensely vague as to its position in the wilds of America at that time, became the boundary line between provinces evolving out of that Plymouth Company and another province acquired by conquest. It is an historic boundary, quite naturally. This part of our boundary line was run and defined before the American Revolution, before there was an United States. The disposition of the Northeastern Boundary came later, i.e., of the Maine boundary.

It is here necessary to call to mind the conditions and course of events during the latter half of the 18th century. Prior to the crowning event on the Plains of Abraham, the English were in possession of the more southerly part of the eastern North American continent, while the French adjoined them to the north. The English on their part were ever pressing the French and pushing their possessions and boundaries northward. In 1759 the French were driven from this part of the continent, and the whole country from Georgia to Hudson's Bay came under the British Crown. In 1775 the provinces or states that had grown out of the Plymouth Company, the London Company, and others, thirteen in all, revolted and declared their independence, which was acceded to by the definitive treaty of 1783. Conditions were now exactly reversed. Great Britain now occupied the position, as far as territory is concerned, that France formerly occupied; and the United States the position that Great Britain had occupied at the time of the Treaty of Ryswick. Is it not very natural, most natural, that the United States claimed as their northeastern boundary, the very same boundary that England had claimed against the French, the boundary line that had been specified, although vaguely we will admit, in the charter to Sir William Alexander in 1621, a boundary line that runs up the St. Croix to its remotest spring to the west. And that is, broadly speaking, our boundary line today. Of its deviation we shall speak later. The point that it is desired to make here is, to correct the very common and erroneous idea among Canadians, that if it hadn't been for the stupidity of some British official or officials the greater part of Maine would not have been lost to us. Utter nonsense, we never had any claim to Maine or the province of Massachusetts Bay of which it originally formed a part. The notion held by some that the 45th parallel should have been extended eastward to the sea as the boundary line simply shows an unfamiliarity of historic facts.

We must be brief with the remaining story of the Northeastern Boundary. The subject has been well and adequately dealt with in a

monograph by Professor W. F. Ganong, given in the Transactions of the Royal Society of Canada for 1901. We shall quote a few lines of the definitive treaty of 1783 between Great Britain and the United States, pertaining to this part of the boundary, which is described as "from the northwest angle of Nova Scotia, viz. that angle which is formed by a line drawn due north from the source of the Saint Croix River to the Highlands; along the said Highlands which divide those rivers which empty themselves into the River St. Lawrence, from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut River; thence down along the middle of that river, to the forty-fifth degree of north latitude;"

This seems a pretty clear and definite description, provided the geographical features referred to existed, were easily identified on the ground. This, unfortunately, perhaps fortunately for Canada, was not the case. At that time the best map of the eastern part of North America was the Mitchell map of 1755, and for that time a good map it was. There were no "highlands," in the sense of elevated, hilly ground. The provisional treaty of 1782 gives the same description as above, and was agreed upon by Richard Oswald, British Commissioner, and John Adams, Benjamin Franklin, John Jay, Henry Laurens, representing the United States. There is now in the British Museum the famous "Red Line Map." It was formerly in the possession of King George III., and shows the boundary under discussion in a heavy red line, along which are written the words "Boundary as described by Mr. Oswald." The map is a Mitchell map and the red line follows the heads of the rivers and streams falling into the St. Lawrence from the northwesternmost head of the Connecticut river to the line due north from the source of the St. Croix. This map undoubtedly shows where Oswald thought the "highlands" should be. It was fortunate for Canada that this map was lost for over half a century. This boundary question became from year to year more acute, particularly owing to the lumbering industry on the Aroostook and upper St. John, carried on by citizens of the two countries, until war was in the air. The Treaty of Ghent, 1814, failed to settle the question. Then in 1827 a convention was concluded, whereby the dispute was to be referred to arbitration. The King of the Netherlands was the arbitrator chosen and in 1831 he rendered his award, whereby Great Britain was awarded about 4100 square miles, or about one-third of the territory in dispute. The award was a compromise, and not a decision, which was wanted,—whether the contention of Great Britain or the contention of the United States was right and valid. Hence the United States promptly protested the award. Negotiations were then carried on which culminated in the Ashburton-Webster, or Washington Treaty of 1842, whereby this troublesome boundary question was finally disposed of, and by which Great Britain secured about 900 square miles more than had been awarded her by the King of the Netherlands. Nearly three-quarters of a century have passed since this Gordian knot has been cut, and we may speak well of the labors of Lord Ashburton, for we got more than we were entitled to. There was no stupidity in British diplomacy.

Before proceeding westward with our boundary line, we shall turn briefly to the Labrador boundary. Radisson and Groseillier, two French traders, had been successful fur traders in the territory adjoining Hudson's Bay to the south, but the toll exacted from them by the governor at Quebec becoming exorbitant, they proceeded to England, and laid plans for an expedition to Hudson's Bay before King Charles II. The result was that a charter was granted in 1670 by the King to Prince Rupert and associates to trade in the country whose waters empty into Hudson's Bay and Straits. The Company "of Adventurers of England trading into Hudson's Bay" then formed,

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has come down to us as the Hudson's Bay Company. This charter immediately involved questions of boundary with the French, but did not conflict with any other charter previously granted by England, as none of the latter extended so far to the north. The French lost no time in attacking the Company and taking their posts. The Treaty of Ryswick, 1697, left the rival claims unsettled; but by the Treaty of Utrecht, 1713, Hudson's Bay and Straits were restored to Great Britain, and a Commission appointed to determine the limits of the Hudson's Bay territory and the places appertaining to the French. The commissaries did not arrive at a settlement. Commissary Bladen had instructions to claim a boundary from Grimington on the Labrador coast through Lake Mistassini to latitude 49 degrees N., and thence due west along the 49th parallel. Here it must be noted that this is the origin of our 49th parallel, which we have today as a boundary line extending from the Lake of the Woods to the Pacific. The French claimed the boundary line to begin at the entrance of Hudson's Straits, at Cape Chidley, and thence southwest close to and around James's Bay, the southern extremity of Hudson's Bay, so as to take in their post at Lake Nemiskau on the Rupert river. The contention between the British and French in the above claims were never settled, instead, they were wiped out on the Plains of Abraham in 1759. In 1763 by Royal Proclamation the Government of Quebec was erected, and its limits defined as follows: "Bounded on the Labrador coast by the River St. John, and from thence by a line drawn from the head of that river through the Lake St. John to the south end of the Lake Nipissing; from whence the said line crossing the River St. Lawrence and the Lake Champlain in 45 degrees of north latitude, passes along the high lands which divide the rivers that empty themselves into the said River St. Lawrence from those which fall into the sea; and also along the north coast of the Baye des Chaleurs and the coast of the Gulf of St. Lawrence to Cape Rosieres; and from thence, crossing the mouth of the River St. Lawrence by the west end of the Island of Anticosti, terminates at the aforesaid River St. John." The River St. John spoken of here is a small river on the north shore of the St. Lawrence, and otherwise little known.

It will be observed that Quebec as bounded above was of comparatively small area. One of the disturbing features of the above restrictions in extent was that the lower St. Lawrence, or north shore of the Gulf of St. Lawrence, did not belong to Quebec, although traversed and exploited by their fisher folk, but was assigned to Newfoundland. To allay dissatisfaction which had arisen through the Royal Proclamation of 1763, "The Quebec Act" of 1774 was passed, which extended the boundaries southward to the Ohio, westward to the Mississippi, northward to Rupert's land, and eastward to the Atlantic. Quebec was now the possessor of Labrador. Whatever boundary line might have theoretically existed between Labrador and Quebec was wiped out by the Act of 1774. But Parliament would not let it be wiped out for very long, for in 1809 by an Imperial Act Anticosti and the north shore from the above river St. John to the Atlantic and along its coast to Cape Chidley was re-transferred to Newfoundland. This brought out the old complaint of the Quebec fisher folk about the north shore. And this was rectified by the Imperial Act of 1825 when the north shore from the River St. John to Anse Sablon, just inside the Straits of Belle Isle, together with Anticosti was re-transferred to Quebec, leaving the Atlantic coast strip of Labrador to Newfoundland. This is the condition of affairs today. The boundary question between Canada and Newfoundland is: where is the rear or west limit of Labrador, and the burning point centres about Hamilton Inlet, which extends so far inland. The simplest solution would be the union of Newfoundland and Canada, a

union that would undoubtedly be in the interests of Britain's Oldest Colony as well as of the Dominion.

We shall now return where we left off with the Northeastern boundary, and find ourselves at the 45th parallel. This we follow according to the Treaty of 1783 to the St. Lawrence, up it, through the Great Lakes to the western shore of Lake Superior. Up to this point from the 45th parallel there has been no serious difficulty in interpreting the position of the boundary line. Trouble begins when we proceed beyond Lake Superior, and this unfortunately arose from inaccuracies of the Mitchell map. For a proper understanding it may be well to quote here a few lines of the Treaty of 1783. . . . "Thence through Lake Superior northward of the Isles Royal and Philippeaux to the Long Lake; thence through the middle of said Long Lake, and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said Lake to the most northwestern point thereof, and from thence on a due west course to the River Mississippi. . . ."

The object was to reach the most westerly head of the waters of the St. Lawrence, and this was supposed to be reached in the Lake of the Woods. Unfortunately the inaccuracies of the map cost us the possession of what is now Duluth and the northeastern part of Minnesota. There really existed no Long Lake, and the Lake of the Woods does not discharge into Lake Superior but into Lake Winnipeg. Hence, if the geographical features had been known the boundary line would have continued to the extreme western end of Lake Superior, and ascended the St. Louis River to its source, and thence due west to the Mississippi. However, we must adhere to the treaty, and reach the Lake of the Woods after crossing a narrow "height of land" separating the waters of Lake Superior from those of Lake Winnipeg. Before taking the course through the Lake of the Woods, let us look at Mitchell's map, the governing map of that day. You will see that the lake, an elongated expansion, extends in a general northwest-southeast direction, in continuation of the general trend of the river discharging it. The most distant, the farthest point of the waters of the St. Lawrence was without doubt, by looking at the map, the "most northwestern point" of the lake. There was no mistake made in saying or writing "northwestern" instead of "southwestern." The shape of the lake, as shown, admits of speaking of northwestern but scarcely of southwestern. So this myth of mistake in writing is exploded too. Since we have now an accurate survey of the lake, the position of the "Northwest Angle" as such is not so obvious.

Boundary lines on paper look so pretty and simple. So was the boundary line "thence on a due west course to the River Mississippi." Unfortunately, the Mississippi was not there, but instead its source was about a 100 miles due south whence we had just started to go west. Slowly these geographical inaccuracies came to light. Before going further with the boundary, it is necessary to refer to some events in the history of the United States. By exploration France held claim to the valley of the Mississippi, and La Salle named it "Louisiana" after Louis XIV., the reigning monarch. With the fall of Quebec in 1759, Great Britain obtained the French possessions as far west as the Mississippi, but not beyond. In 1762 France ceded "Louisiana," the part west of the Mississippi, to Spain. By the secret Treaty of San Ildefonso Spain in 1800 promises to retrocede to France Louisiana, which was subsequently carried out. Then in 1803 Napoleon—in violation of his pledge to Spain not to alienate the province—sold it to the United States for \$12,000,000. The western boundary of this territory was vague, but claimed up to the western watershed of the Mississippi, that is up to the Rocky Mountains. When the definitive

treaty of 1783 was signed the United States only extended to the Mississippi, that is, they covered the British claim up to that time. But at the time of the Treaty of Ghent in 1814, and the Treaty of London, 1818, the United States had expanded to the Rocky Mountains, so that in the negotiations about the boundary beyond the Lake of the Woods cognizance is taken of this. By Article VII. of the former treaty commissioners were to determine the latitude and longitude of the most northwestern point of the Lake of the Woods. By this time it was known that a due west line from the Lake of the Woods would not intersect the Mississippi, although the exact geographical position of the most northwesternmost point was undetermined, further than that it was not very far from the 49th parallel, that parallel which England over a century before had set as the southern limit of the Hudson's Bay Company. Hence the description of the boundary onward as given in Article II. of the latter (1818) treaty becomes more intelligible. It reads as follows: "It is agreed that a line drawn from the most northwestern point of the Lake of the Woods, along the forty-ninth parallel of north latitude, or if the said point shall not be in the forty-ninth parallel of north latitude, then that a line drawn from the said point due north or south as the case may be, until the said line shall intersect the said parallel of north latitude, and from the point of such intersection due west along and with the said parallel shall be the line of demarcation between the territories of the United States, and those of His Britannic Majesty, and that the said line shall form the northern boundary of the said territories of the United States, and the southern boundary of the territories of His Britannic Majesty from the Lake of the Woods to the Stony Mountains." Stony Mountains we now call Rocky Mountains. By a mere chance the line ran south, and Minnesota projects a watery corner apparently into Canada. If it would have been necessary to run north instead of south the same distance to get to the 49th parallel we might regret having lost a strip 24 miles wide across the continent. Perhaps it was better to run south to get to the 49th parallel, although it looks to some a little queer, this little white patch on our Canadian maps in the southwest corner of the Lake of the Woods. The boundary line hereabouts, needs no apologist on either side, it was perfectly rational.

We continue then the boundary from the Lake of the Woods westward along the 49th parallel to the Rocky Mountains, and here for the present the line stops, for the territory beyond was still in dispute. By Article III. of the treaty of 1818 it was agreed that the country be free and open to both parties for the term of ten years. Before proceeding farther westward with the boundary, we must pick up the thread of history, this time on the Pacific coast, and learn what had been done in discovery, in exploration, and in occupation; so that we may have a fair perspective of the claims of the contending nations. The historic survey must necessarily be brief and circumscribed. Although Balboa was the first to sight the Pacific in 1513 from Darien, Drake was the first to proceed up the coast in 1579 to about latitude 43 degrees. It was nearly a century later before the Spaniard Perez reached as far as 54 degrees. Then follow the memorable explorations of the world's greatest navigator—Captain Cook, who in 1778 explored the Pacific coast northward from 43 degrees, through Bering Straits to latitude 70 degrees. Trouble arose between the Spanish and British on the Pacific coast, and by the Nootka Convention of 1790, Spain was practically eliminated as far as territory now under discussion is concerned. The man that left an imperishable monument on the Pacific coast by the accuracy of his survey work was Captain George Vancouver, who had served under Captain Cook. Vancouver's work covered the years 1792-3-4. It is strange that Vancouver missed the discovery of the mouth of the Columbia, which discolors the water of the ocean

for miles and miles. This was reserved for the American, Captain Gray, in 1792, in his ship "Columbia," whence the name of the river. This discovery was one of the important points upon which later the United States based their claim to the country which the river drains. Captain Gray did not ascend the river, which, however, was subsequently done by Lieut. Broughton, under Vancouver's instructions. Mackenzie, the discoverer of the great river bearing his name, in 1793 penetrated through the interior of the continent, in behalf of the Northwest Company, the great rival of the Hudson's Bay Company, to the Pacific in about latitude 52 degrees. President Jefferson followed up the "Louisiana" purchase by sending an expedition under Lewis and Clark (1804-1806) to explore the territory north of the then Spanish territory of California and west of the Rocky Mountains, the "Oregon country" as it was afterwards called. To digress for a moment. In 1778 Carver published in London a book "Travels throughout interior parts of North America," in which the stream or undiscovered stream, "Oregon," is referred to. This name does not again appear in print until 1817 when we find it in Bryant's poem, "Thanatopsis." Lewis and Clark penetrated through the Rocky Mountains and descended the Columbia, whereby the United States added another claim, and a strong claim, to the territory subsequently in dispute. In 1808 Astor founded the American Fur Company, and three years later the Pacific Fur Company, a branch of the former, which was followed by the founding of Astoria at the mouth of the Columbia.

The Northwest Company was busy with exploration too in the interest of their fur trade. In 1808 Simon Fraser descends the river that now bears his name, to the sea; and similarly David Thompson, who has also a river to his name, descends in 1811 the Columbia to the Pacific. We see how year by year British and American claims are being made by exploration and occupation. A blast of the war of 1812 even reached the Pacific coast. In 1813 Astoria was discreetly sold to the Northwest Company and a month later was taken possession of by a British vessel and its name changed to Fort George, but was restored in 1818. In the following year Spain waived her claim to the north of 42 degrees in favor of the United States. The bitter rivalry that had existed for many years between the Hudson's Bay Company and the Northwest Company, and which had cost many lives, was brought to a close by the amalgamation or absorption of the latter company by the former. The fur trade was now vigorously pushed in the far west, and in 1824 Chief Factor J. McLaughlin built Fort Vancouver on the lower Columbia, near the mouth of the Willamette,—and this was for years the centre of trade and of authority, which the Hudson's Bay Company knew so well how to wield. Russia had been active on the northwest coast of America for many years and of which we shall speak more in detail when we come to the Alaska boundary. It will suffice here simply to state that under Article III. of the Convention of 1824 between Russia and the United States, Russia renounced all claims to territory south of 54 degrees, 40 minutes. Up to this time and for a few years more the strongest claim of Great Britain was that of occupation, for there were very few Americans in the territory. As the ten years of free and joint occupancy guaranteed under Article III of the treaty of 1818 were drawing to a close without a settlement having been made, the Convention of 1827 extended the provisions of Article III. indefinitely, but with the right after twelve months' notice by either party to annul and abrogate them. The advent of four Indian chiefs from the Oregon country in St. Louis in 1832 stirred the missionary zeal for a new field of labor. The fertility of the Columbia valley, the wealth of the forests, the salubrity of climate, became known in the east, and slowly a stream of immigration set in. As early as 1841 the Americans in Oregon began to feel the need of some form of civil government, other than that meted out by the

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Hudson's Bay Company, so that two years later we find a provisional government organized. Year by year the American immigration increased, till in 1845 some 3,000 arrived from the Missouri and Mississippi valleys. The Americans had undoubtedly possession of the territory now, more specifically of the Columbia valley, and it was obvious that the day of settlement, of adjustment of rival claims was at hand. Matters were somewhat aggravated by the democratic slogan in the presidential campaign of 1844 of "Fifty-four Forty or Fight." This meant up to the southern limit of the Russian possessions referred to in the Convention of 1824. The slogan served the democratic party well, for Polk was elected president. Well, they didn't get fifty-four forty nor did they fight. To the former the Americans had absolutely no claim; and for the latter common sense stood them in good stead.

Negotiations were now set on foot, which culminated in the Washington treaty of 1846, whereby the 49th parallel was continued westward from the Rocky Mountains "to the middle of the channel which separates the continent from Vancouver's Island; and thence southerly through the middle of the said channel, and of Fuca's Straits, to the Pacific Ocean."

Was "Oregon" lost to Canada by British diplomacy or the lack of diplomacy? One unbiased and seized of all the facts, must answer the question in the negative. Another and similar question might however be put, and that is, Was British Columbia saved to Canada by British diplomacy? And here the answer is undoubtedly in the affirmative.

Scarcely had this last treaty been signed when differences arose as to the identity of "the middle of the channel which separates the continent from Vancouver's Island," the British claiming the eastern channel, Rosario Strait, one that had been used by the Hudson's Bay Company since 1825, while the United States claimed the western channel, Canal de Haro. Finally by the treaty of 1871, under Article XXXIV., the respective claims were "submitted to the arbitration and award of His Majesty the Emperor of Germany," who shall decide "which of those claims are most in accordance with the true interpretations of the treaty of June 15, 1846." The arbitrator in 1872 rendered the award in favor of the contention presented by the United States for Haro Strait.

We have now followed the international boundary line across the continent, from the mouth of the St. Croix river on the Atlantic to the entrance of the Strait of Juan de Fuca in the Pacific.

There yet remains the Alaska boundary, so fresh in your memory. There was a time when Russia courted the favor of China to trade. When the Cossacks had pushed their way across Siberia, and Russia found herself on the Pacific a new field of enterprise was opened to her—and that was the fur trade. In the first place, stood the sea-otter, furnishing probably the most beautiful fur of any animal. This, together with the subsequently discovered fur seal of Bering Sea, furnished the key for unlocking the commercial gates at Kiakhta, the border town and barter place between China and Siberia. In 1728 Vitus Bering began his explorations which led to the discovery of Bering Straits and of the extreme northwest of America. Expeditions in search of furs in this direction date from 1743, and were undertaken by the Russians. The incentive for exploration on the part of the Russians was the increase and extension of the fur-trade. In 1778 Captain Cook made surveys, extending through Bering Straits, from which the first approximately accurate chart was published. About the same time Portlock, Dixon & Meares visited Cook's Inlet. During the years 1792, 1793, 1794 Vancouver made minute and memorable

surveys extending from California to Cook's Inlet, including the British Columbia coast and that of southeastern Alaska. At the time the Russians were most energetically prosecuting the fur-trade and were alive to the intrusion of other nations into territory that they were bound to maintain as their own. The Empress Catherine II. had granted in 1788 a charter to Shelikof for the American trade, but there were other traders and companies in the field, resulting in destructive rivalry. A strong hand and an experienced man were necessary to bring order out of anarchy, and this man was found in 1790 by Shelikof in Baranof, the man who finally established the Russian empire on the North American continent.

In 1797 a consolidation of various companies was effected; the new organization being known as the Russian-American Company, which obtained a charter in 1799 from the Emperor Paul, granting it the exclusive right to all the territory and the resources of water and land in the new Russian possessions, including Kamchatka, the district of Okhotsk, and the Kurile Islands. This charter was granted for a term of 20 years, afterwards twice renewed for similar periods. It marks an epoch in the history of Alaska, which from that time until the transfer of the country to the United States became identical with that of the Russian-American Company. The company stood in high favor in court circles; even the Emperor and members of the imperial family had interests therein. Some prophesied a prosperity comparable with that of the English East India Company, while others dreamed of an annexation of Japan and portions of China, as well as the whole American coast down to the Gulf of California. But such was not to be.

In 1821 Russia attempted by ukase to exclude navigators from Bering Sea. This was promptly protested by Great Britain and by the United States, whereupon a convention was made with the latter in 1824, and with the former in 1825. In the convention with the United States, Russia agreed not to form any establishments south of the parallel of 54 degrees, 40 minutes, nor the United States any north of that parallel; while in the convention with Great Britain a definite boundary line between the possessions of the two countries was described. A half a century afterwards the meaning and interpretation of the description of this boundary line became a burning question, reaching almost a conflagration at the climax and moment of final settlement. The line of demarcation is described as follows: "Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude, and between the 131st and 133rd degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last mentioned point, the line of demarcation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the 141st degree of west longitude, (of the same meridian;) and finally, from the said point of intersection, the said meridian line of the 141st degree in its prolongation as far as the Frozen Ocean."

It is somewhat surprising that no comment was made on this important Convention by the British Press. Neither *The Times*, *Chronicle*, *Edinburgh Review*, *Quarterly Review*, *Gentleman's Magazine*, *Blackwood's Review*, nor the *London Magazine* makes any reference to it. The *Annual Register* for 1825 publishes the Convention, but without comment.

Undoubtedly Vancouver's chart was the one consulted by the negotiators of the Convention, and from it, showing a continuous

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range of mountains running behind all the inlets and approximately parallel to the coast, the intent of the framers of the Convention becomes obvious to any unbiased mind.

At the time Great Britain had little interest in territorial possession of this part (Alaska) of the northwest coast, as shown in the instructions of Dec. 8, 1824, by the Secretary of State for Foreign Affairs, Rt. Hon. George Canning, to the Plenipotentiary, Mr. Stratford Canning, wherein occurs "It is comparatively indifferent to us whether we hasten or postpone all questions respecting the limits of territorial possession on the continent of America, but the pretensions of the Russian Ukase of 1821, to exclusive dominion over the Pacific, could not continue longer unrepealed without compelling us to take some measure of public and effectual remonstrance against it. We negotiate about territory to cover the remonstrance upon principle."

The British who were interested in the territory and the boundary line were the Hudson's Bay Company, who were at the time pushing their trade in the "Oregon" country. By Article VI. of the above Convention the British "shall forever enjoy the right of navigating freely, and without any hindrance whatever, all the rivers and streams which, in their course towards the Pacific Ocean, may cross the line of demarcation upon the line of coast described in Article III of the present Convention." By Article VII. the vessels of both nations were permitted for the space of ten years to frequent all the inland seas and gulfs on the coast. When these ten years had expired Baron Wrangell, Governor of the Russian-American Company, issued a notice warning foreign vessels from trading in Russian territorial waters. This led to an encounter with the Hudson's Bay Company, which made preparations for establishing a post 10 marine leagues up the Stikine, and which they had a perfect right to do. After some years of negotiations in which the British Government took a part, the Hudson's Bay Company made an agreement, Feb. 6, 1839, with the Russian-American Company, whereby the former leased from the latter the coast (exclusive of islands) between Cape Spencer and latitude 54 degrees 40 minutes, for a term of ten years, for a specified consideration. It may be pointed out here that the Hudson's Bay Company recognized and acknowledged by this lease Russian sovereignty of a continuous strip and coast line over the territory in question; and naturally so, for the Russians were and had been occupying or trading on it, notably at the head of Lynn Canal with the Chilkats. This lease was afterwards renewed. In discussing and protesting the interference of Russia with the Hudson's Bay Company on the Stikine, Lord Palmerston of the Foreign Office wrote on Nov. 13, 1835, to His Excellency Lord Durham a long letter, in which occurs: ". . . The obvious meaning of the Sixth Article of the Treaty is that British settlers should have the opportunity of conveying to the sea the produce of their industry, notwithstanding that the coast itself is in the possession of Russia. . . ."

This certainly leaves no doubt that a continuous strip was recognized by Great Britain as belonging to Russia. The Russian possessions in America were becoming a burden to the home government and in 1867 Alaska was sold to the United States for \$7,200,000,—a bagatelle as we recognize it to-day.

Up to this time and for years afterwards all maps, whether Russian, British, German, French, American or Canadian, showing that part of the northwest coast of America, invariably showed a continuous strip representing what we now call southeastern Alaska. The Russians had been trading along this strip as a Russian possession;

the Hudson's Bay Company, their rival, had leased it for fur-trading purposes, for which it was essential to have access to the inlets and heads of inlets to meet the Indians. These interested parties never questioned the continuity of this strip, for any other interpretation would have been utterly at variance with the condition obtaining, with the trade as carried on along the strip. Official maps, British and Canadian, school-books, all showed the continuous strip and a boundary line running at some distance behind all the inlets and channels, irrespective of their length. The negotiations and transfer of Alaska, in which the boundary described is a replica of the Convention with Great Britain in 1825, were concluded without the knowledge of Great Britain. However, the British ambassador at St. Petersburg said that if the territory had been offered to Great Britain for purchase he felt assured that it would not have been bought. And in this opinion he was supported by the Foreign Office. This attitude, although it did not alter matters, we must regret. The sale of the territory was primarily for economic reasons, yet political reasons, into which we cannot here enter, were involved.

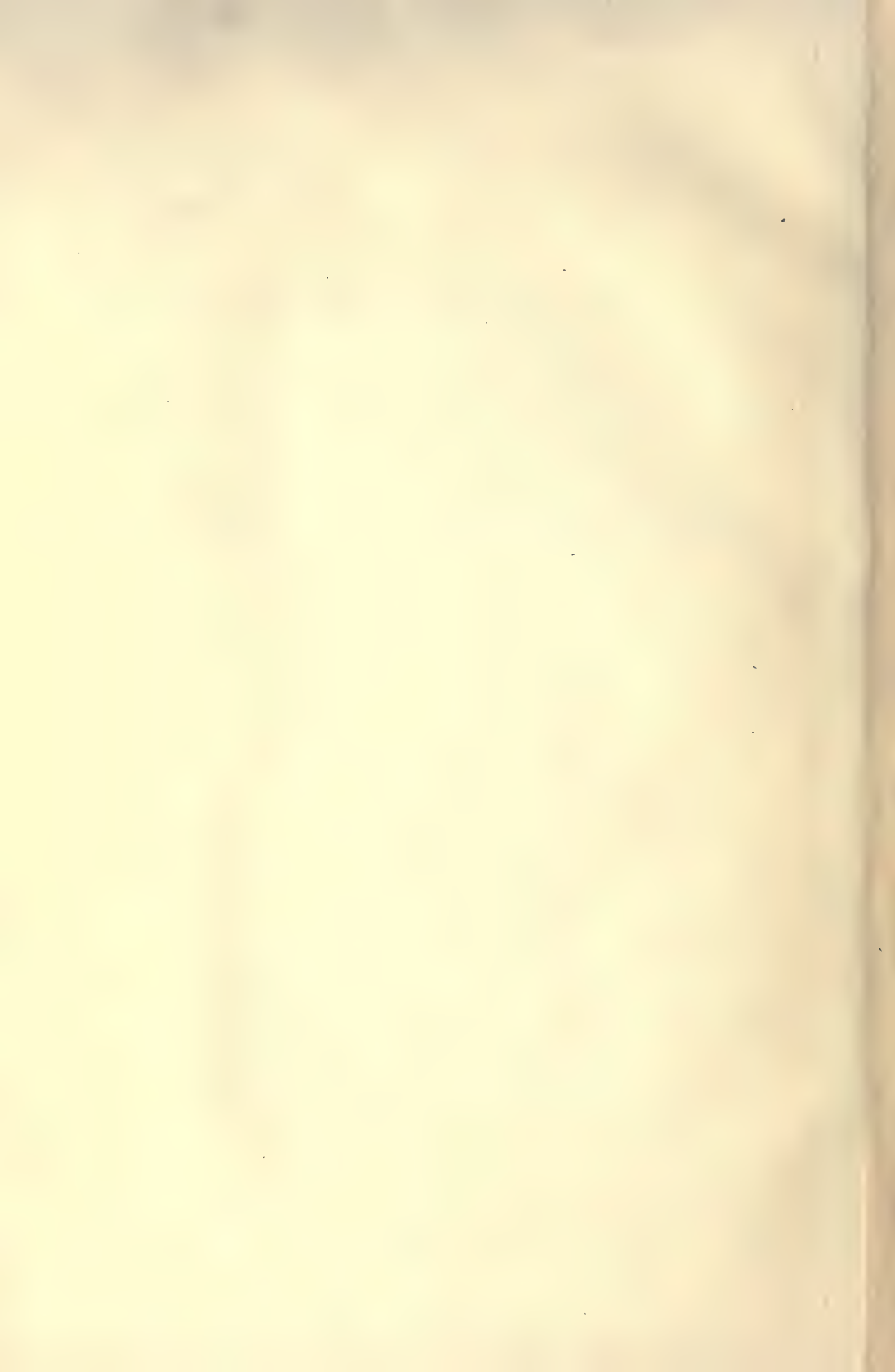
The transfer of Alaska took place in 1867, the year of Confederation and the birth of the Dominion of Canada. British Columbia, the most interested province in the Alaskan boundary, joined the Dominion in 1871, and soon began urging the delimitation of the boundary. Of the rivers which crossed the boundary line the Stikine was at that time the only one that served as a route of communication with Canadian territory, so we find in 1877 Joseph Hunter commissioned by Canada to ascertain with approximate accuracy the boundary line on that river. By joining the summits of the mountains by a line parallel to the coast, he found the boundary there to be about 20 miles from the coast. Up to this time there was no question of the continuity of the "strip" along the coast. It was taken for granted. To question the continuity was reserved for a later day. The Alaska boundary "dispute" had its inception in 1884. From that time onward the dispute grew with the passing years. Under a convention of 1892 a joint survey by Canada and the United States was made of the area adjacent to the boundary line. The Joint High Commission of 1898 took up this boundary question, but was unable to reach a definite agreement. The question became somewhat acute owing to the discovery of gold in the Klondike, to which the easiest access was by way of the head of Lynn Canal, which Canada had now claimed as being within Canadian territory. Negotiations were continued, and finally a convention was signed in January 1903 whereby the matter was referred to a tribunal of six impartial jurors, to whom seven questions were submitted for judicial consideration. By far the most important of these questions was the one pertaining to the interpretation of "the line of demarcation shall follow the summit of the mountains situated parallel to the coast"; or in the event that such mountains are more than ten marine leagues from the ocean, the boundary "shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of ten marine leagues therefrom." In short, the question meant, whether the "strip" is continuous or not,—whether Canada rightly claimed the heads of some of the inlets, notably Lynn Canal with Skagway at its head. In the tribunal Great Britain was represented by Lord Alverstone, Sir Louis Jette, and Mr. A. B. Aylesworth; and the United States by Hon. Elihu Root, Hon. Senator Lodge, and Hon. Senator Turner. The tribunal sat at London and voluminous documentary evidence was submitted to it. The award was signed on Oct. 20, 1903, by Alverstone, Root, Lodge and Turner, and confirmed the contention of a continuous strip, the boundary line passing around all of the inlets. The award was accompanied by a map based on the joint survey of 1893-1895, on which the course of the boundary line was shown. For the point

of commencement Cape Muzon was unanimously agreed upon. The majority of the tribunal awarded the insignificant islands of Sitklan and Kannaghunut at the entrance of Portland Canal to the United States. This latter award, although of no practical import, is thoroughly inexplicable, especially to one who has sailed over every foot covered by Vancouver in the waters designated by him as Portland Canal or channel.

When the award was published a feeling of intense resentment and indignation spread over Canada. Many harsh words were said of Lord Alverstone, and that again the interests of Canada had been sacrificed by Great Britain.

Ten years have passed since the award was rendered, and one can review calmly and it is hoped unbiased the decision. A future historian who will write a monograph on the Alaska boundary, replete as is the one on the New Brunswick boundary, will undoubtedly show that Canada got all that was her due in the Alaska award, with the exception of those two small rocky islands referred to above.

An hour and a half is a short time to review the boundaries of Canada, some 5,000 miles in length. I have but skimmed over the subject, but have attempted to bring out some salient points, and correct current and common misinformation on our boundaries.



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